

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA

Plaintiff,

vs.

THOMAS J. KOVACH

Defendant.

CASE NUMBER 20-mj-7161-MAB

FILED UNDER SEAL

CRIMINAL COMPLAINT

I, Daniel Root, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

Count 1
(Distribution of Child Pornography)

On or about July 15, 2020, the defendant, in Fairview Heights, Illinois, within the Southern District of Illinois,

THOMAS J. KOVACH,

defendant herein, did knowingly distribute visual depictions containing child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), including, but not limited to, a file titled “a 1 (79)_172.jpg”, which depicts minors engaged in sexually explicit conduct, that had been shipped or transported in or affecting interstate or foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2252A(a)(2)(B) & (b)(1).

I further state that this complaint is based on the following facts:

AFFIDAVIT

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) assigned to the FBI's St. Louis, Missouri division. I have been employed by the FBI since January 2016. My employment has vested me with the authority to investigate violations of federal law, including Title 18, U.S.C. §§ 2422, 2252 and 2252A, all involving the Sexual Exploitation and Other Abuse of Children. During my time at the FBI Academy and while working the violation, I have received training in a variety of investigative and legal matters, including topics of searches, drafting search warrant Affidavits, and Probable Cause. I am presently assigned to the St. Louis Violent Crimes Against Children Squad, which focuses on investigating individuals and dismantling organizations responsible for the sexual exploitation of children through the manufacture and distribution of child pornography. I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a) (2) (C), that is, a government agent engaged in enforcing the criminal laws.

2. I have investigated and assisted in the investigation of criminal matters involving the sexual exploitation of children that constituted violations of Title 18, United States Code, Sections 2251, 2252, 2252A, 2422, and 2423. In connection with such investigations, I have served as case agent, have been the affiant for several search warrants and I have conducted interviews of subjects, victims, and witnesses. As a federal agent, I am authorized to investigate and assist in the prosecution of violations of laws of the United States, and to execute search warrants and arrest warrants issued by federal and state courts.

3. The statements contained in this affidavit are based on my personal knowledge as well as on information provided to me by other law enforcement officers. This affidavit is being submitted for the limited purpose of securing a criminal complaint and an arrest warrant, and I

have not included each fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that THOMAS J. KOVACH committed violations of Title 18, United States Code, Section 2252(a)(2)(A).

4. The FBI St. Louis Violent Crimes Against Children Task Force comprises a number of law enforcement agents and officers from around the region. As part of an FBI authorized undercover operation, an FBI undercover agent (UC) makes posts to Kik groups using keywords that collectors of child sexual abuse material (CSAM) are familiar with and indicate a sexual interest in children. Kik is a social media application that allows users to chat one-on-one or in public or private groups. It is available on Android and iOS mobile devices.

5. On June 12, 2020, an individual later identified as THOMAS J. KOVACH (hereinafter referred to as “KOVACH”), initiated a conversation with the UC. KOVACH had the username “lovebbbstl” and display name “KT”. KOVACH’s messaged the UC stating, “Single m in Missouri...40”

6. Throughout the conversation, KOVACH indicated that he wanted to meet up with the UC’s foster children and have sex with them. KOVACH told the UC that his name was “TJ”.

Excerpts of the conversation are below:

UC: u ever have any experience?
 KOVACH: With a 5 yo boy
 KOVACH: Years ago...oral..ate his out

 KOVACH: I’m open to as young as 3

 UC: what are u thinking??
 KOVACH: Suck his dick
 UC: can u stop urself after that?
 KOVACH: Oral..rub his ass....kiss his body

 KOVACH: I’ll suck his dick
 KOVACH: In front of you!!!!

KOVACH: I want to molest in front of you a lot of kids
....
KOVACH: If we don't connect tonight..I am highly interested
KOVACH: In the 6yo
....
KOVACH: I want to molest babies with you
....
KOVACH: I'd pay u
KOVACH: For toddler sex
KOVACH: Under 4 yo
UC: really? how much?
UC: I get \$412 a month per kid
KOVACH: How about an extra \$85 per month.
KOVACH: Gives you \$500 a month
....
KOVACH: I really want to use a toddler in front of you for sex
....
KOVACH: I have watched toddlers get fucked... hit.. on mega
....
KOVACH: Any girl infants u can get?

7. KOVACH also sent numerous videos to the UC of him masturbating while talking about abusing children.

8. On July 15, 2020, KOVACH sent the UC the following messages:

KOVACH: [https://mega.nz/folder/\[URL removed\]#M09Gyj9FrIlyMcmRN819dA](https://mega.nz/folder/[URL removed]#M09Gyj9FrIlyMcmRN819dA)
KOVACH: A gift for you

9. The UC followed the link and downloaded the material. The link contained 4,781 visual depictions (videos and pictures), most of which were child exploitative material. When the material was run through FBI systems, 1,347 of the files were immediately marked as "Illegal Child Abuse Material", which means that they have been seen and classified before by the FBI and NCMEC. Additionally, 282 files were classified as "Infant/Toddler" and 31 as "S&M/Violence".

10. Most of the media in the link consisted of prepubescent boys in various exploitative and abusive scenarios. For instance, the file "a 1 (79)_172.jpg" depicts a boy under the age of 10

performing oral sex on another prepubescent boy. The video “Self - Dsc6114” depicts an adult male performing oral sex on a prepubescent boy.

11. On several occasions, FBI agents conducted surveillance on KOVACH’s residence, located in Fairview Heights, Illinois, which is within the Southern District of Illinois. Agents observed KOVACH in his residence while he was simultaneous chatting with the FBI UC.


12. On August 3, 2020, the Honorable Mark A. Beatty signed a search warrant for KOVACH’s residence. On August 6, 2020, FBI agents executed the warrant. KOVACH was present at the residence and taken into custody.

13. Agents extracted still frames of the videos that KOVACH sent of himself masturbating. Every article of clothing from the KOVACH’s videos were located at the residence, namely, a pair of “Broncos” boxers as well as a white polo shirt with a black “sail” logo.

14. During an interview, KOVACH admitted that he was the one who had been chatting with the FBI UC and sent the mega link. He further admitted that he knew the mega link contained minors engaged in sexually explicit conduct,

CONCLUSION

15. Based on the foregoing, I submit that there is probable cause to believe that on or about July 15, 2020, THOMAS J. KOVACH committed the offense set forth in Count 1 of this Complaint.



Daniel Root, Special Agent
Federal Bureau of Investigation

STEVEN D. WEINHOFET
United States Attorney



Karelia S. Rajagopal
Assistant United States Attorney

Subscribed and sworn to before me this

7th day of August, 2020, within the Southern District of Illinois.

  _____
MARK A. BEATTY
United States Magistrate Judge